

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANGEL AYALA OTERO,

Petitioner,

v.

BRENDA TRITT,

Respondent.

CIVIL ACTION NO. 3:15-CV-01324

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SCHWAB)

ORDER

NOW, this 13th day of March, 2018, upon consideration of Petitioner Angel Ayala Otero's Petition for a Writ of Habeas Corpus filed pursuant to 28 U.S.C. §2254(d) (*Doc. 1*), the Report and Recommendation ("R&R") of Magistrate Judge Schwab (*Doc. 32*), and Petitioner's objections to the R&R (*Doc. 38*) **IT IS HEREBY ORDERED** that:

- (1) The R&R of Magistrate Judge Schwab is **APPROVED** and **ADOPTED**.
 - (a) Petitioner Angel Ayala Otero's Petition for a Writ of Habeas Corpus is **DENIED**.
- (2) Since Petitioner Angel Ayala Otero has failed to make "a substantial showing of the denial of a constitutional right," a certificate of appealability **SHALL NOT** issue.
- (3) The Clerk of Court is directed to **CLOSE** this case.

/s/ A. Richard Caputo

A. Richard Caputo
United States District Judge